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5-16-01  
MAIN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NNABUGWU GOGOH,	:	CIVIL ACTION NO. 1:CV-00-1211
Petitioner	:	
v.	:	
JANET RENO, <u>et al.</u> ,	:	(Judge Rambo) <b>FILED</b>
Respondent	:	HARRISBURG, PA

MAY 16 2001

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_ Deputy Clerk

O R D E R

NOW, THIS 16<sup>th</sup> DAY OF MAY, 2001, upon consideration of the facts that: (1) the above captioned petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 was filed by Nnabugwu Gogoh while a detainee of the Immigration and Naturalization Service ("INS") being held at the York County Prison, York, Pennsylvania; (2) in the instant petition Gogoh sought nominal bail pending deportation; (3) in a decision dated November 17, 2000, the Board of Immigration Appeals (BIA) ruled that Petitioner be removed as an alien who has been convicted of an aggravated felony; (4) on November 27, 2000, Petitioner filed a supplemental motion for habeas corpus review pursuant to 28 U.S.C. §2241 and a motion for stay of deportation; (5) this court sua sponte contacted the prison and was informed that on April 25, 2001, the District Director released Gogoh from custody on

parole; (6) no forwarding address for Gogoh has been provided to this court; (7) Gogoh has obtained relief greater than he sought in his original petition filed with this court, **IT IS HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus is dismissed as moot.
2. Petitioner's motion for stay of deportation, (Doc. No. 8) is denied because Petitioner is currently utilizing his administrative remedies having filed a motion with the BIA to re-open and remand his case.
3. Petitioner's supplemental motion for habeas corpus, (Doc. No. 9) is denied. Petitioner is challenging his underlying aggravated felony conviction and, therefore, should file a §2255 petition in the district in which he was convicted.
4. The Clerk of Court is directed to close this case.



\_\_\_\_\_  
SYLVIA H. RAMBO  
United States District Judge

SR:alp

UNITED STATES DISTRICT COURT  
 FOR THE  
 MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

May 16, 2001

Re: 1:00-cv-01211 Gogoh v. Reno

True and correct copies of the attached were mailed by the clerk to the following:

Nnabugwu Gogoh  
 CTY-YORK  
 York County Prison  
 3401 Concord Road  
 York, PA 17402

Anne K. Fiorenza, Esq.  
 Assistant U.S. Attorney  
 U.S. Attorney's Office  
 228 Walnut Street  
 Suite 217  
 Harrisburg, PA 17108

cc:			
Judge	(X )	(X )	Pro Se Law Clerk
Magistrate Judge	( )	( )	INS
U.S. Marshal	( )	( )	Jury Clerk
Probation	( )		
U.S. Attorney	( )		
Atty. for Deft.	( )		
Defendant	( )		
Warden	( )		
Bureau of Prisons	( )		
Ct Reporter	( )		
Ctroom Deputy	( )		
Orig-Security	(X )		
Federal Public Defender	( )		
Summons Issued	( )	with N/C attached to complt. and served by:	
		U.S. Marshal ( )	Pltf's Attorney ( )
Standard Order 93-5	( )		
Order to Show Cause	( )	with Petition attached & mailed certified mail	
		to: US Atty Gen ( )	PA Atty Gen ( )
		DA of County ( )	Respondents ( )
Bankruptcy Court	( )		
Other	( )		

MARY E. D'ANDREA, Clerk

DATE: May 16th, 2001

BY:   
Deputy Clerk